

## Pt. 4

## 12 CFR Ch. I (1–1–01 Edition)

(B) The borrowed securities must be marked to market daily;

(C) The receivable must be subject to a daily margining requirement; and

(D) The securities borrowing transaction must be a securities contract for purposes of section 555 of the Bankruptcy Code (11 U.S.C. 555741(7)), a qualified financial contract for purposes of section 11(e)(8) of the Federal Deposit Insurance Act (12 U.S.C. 1821(e)(8)), or a netting contract between or among financial institutions, for purposes of sections 401–407 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 4401–4407) or Regulation EE (12 CFR Part 231).

\* \* \* \* \*

<sup>7</sup>Foreign exchange positions outside the trading account and all over-the-counter derivative positions, whether or not in the trading account, must be included in adjusted risk-weighted assets as determined in appendix A of this part 3.

### PART 4—ORGANIZATION AND FUNCTIONS, AVAILABILITY AND RELEASE OF INFORMATION, CONTRACTING OUTREACH PROGRAM

#### Subpart A—Organization and Functions

Sec.

- 4.1 Purpose.
- 4.2 Office of the Comptroller of the Currency.
- 4.3 Comptroller of the Currency.
- 4.4 Washington office.
- 4.5 District and field offices.
- 4.6 Frequency of examination of national banks.
- 4.7 Frequency of examination of Federal agencies and branches.

#### Subpart B—Availability of Information Under the Freedom of Information Act

- 4.11 Purpose and scope.
- 4.12 Information available under the FOIA.
- 4.13 Publication in the FEDERAL REGISTER.
- 4.14 Public inspection and copying.
- 4.15 Specific requests for records.
- 4.16 Predisclosure notice for confidential commercial information.
- 4.17 Fees for services.

#### Subpart C—Release of Non-Public OCC Information

- 4.31 Purpose and scope.
- 4.32 Definitions.
- 4.33 Requirements for a request of records or testimony.
- 4.34 Where to submit a request.
- 4.35 Consideration of requests.

4.36 Disclosure of non-public OCC information.

4.37 Persons and entities with access to OCC information; prohibition on dissemination.

4.38 Restrictions on dissemination of released information.

4.39 Notification of parties and procedures for sharing and using OCC records in litigation.

4.40 Fees for services.

APPENDIX A TO SUBPART C—MODEL STIPULATION FOR PROTECTIVE ORDER AND MODEL PROTECTIVE ORDER

#### Subpart D—Minority-, Women-, and Individuals With Disabilities-Owned Business Contracting Outreach Program; Contracting for Goods and Services

- 4.61 Purpose.
- 4.62 Definitions.
- 4.63 Policy.
- 4.64 Promotion.
- 4.65 Certification.
- 4.66 Oversight and monitoring.

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#### Subpart A—Organization and Functions

##### § 4.1 Purpose.

This subpart describes the organization and functions of the Office of the Comptroller of the Currency (OCC), and provides the OCC's principal addresses.

##### § 4.2 Office of the Comptroller of the Currency.

The OCC supervises and regulates national banks and Federal branches and agencies of foreign banks by examining these institutions to determine compliance with applicable laws and regulations; approving or denying applications for new charters or for changes in corporate or banking structure; approving or denying activities; taking